

Form PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

PR60211USw

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/552232**

INTERNATIONAL APPLICATION NO.  
PCT/US2004/010518

INTERNATIONAL FILING DATE  
April 4, 2004

PRIORITY DATE CLAIMED  
April 11, 2003

TITLE OF INVENTION

**HETEROCYCLIC MCHR1 ANTAGONISTS**

APPLICANT(S) FOR DO/EO/US

**Kevin BARVIAN, Andrew CARPENTER, Joel COOPER, Paul FELDMAN, Dulce GARRIDO, Yu GUO, Anthony HANDLON, Donald HERTZOG, Clifton HYMAN, Andrew PEAT, G. PECKHAM, Jason SPEAKE, William SWAIN, F. TAVARES, H. ZHOU**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV332065805US**
23. ☒ Other items or information:  
 Copy of PCT publication coverage page  
 Copy of PCT Request

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/552232</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2004/010518</b>		ATTORNEY'S DOCKET NUMBER <b>PR60211USw</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input checked="" type="checkbox"/> Basic national fee .....		<b>\$300</b>		\$ <b>\$300.00</b>	
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....		<b>\$100</b>		\$ <b>\$0.00</b>	
All other situations. ....		<b>\$200</b>			
26. <input checked="" type="checkbox"/> Search fee .....		<b>\$100</b>			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....		<b>\$400</b>			
International Search Report prepared and provided to the Office .....		<b>\$500</b>		\$ <b>\$400.00</b>	
All other situations. ....		<b>\$500</b>		\$ <b>\$700.00</b>	
<b>TOTAL OF 24, 25 and 26 =</b>				\$ <b>\$700.00</b>	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
230 - 100 =	130 /50 =	3	x \$250.00	\$ <b>\$750.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	49 - 20 =	29	x \$50.00	\$ <b>\$1,450.00</b>	
Independent claims	1 - 3 =	0	x \$200.00	\$ <b>\$0.00</b>	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$ <b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ <b>\$2,900.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ <b>\$0.00</b>	
<b>SUBTOTAL =</b>				\$ <b>\$2,900.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ <b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				\$ <b>\$2,900.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40</b> per property +				\$ <b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				\$ <b>\$2,900.00</b>	
				Amount to be	\$
				Amount to be	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>07-1392</u> in the amount of <u>\$2,900.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>07-1392</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p>					
CUSTOMER NO. 23347			<p><i>Bonnie L. Deppenbrock</i> SIGNATURE <span style="float:right;">5 Sept 05</span></p> <p><b>Bonnie L. Deppenbrock</b> NAME</p> <p><b>28,209</b> REGISTRATION NUMBER</p>		

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): <b>BARVIAN et al.</b>			Docket No. <b>PR60211USw</b>	
Application No. <b>PCT/US2004/010518</b>	Filing Date <b>April 4, 2004</b>	Examiner	Customer No. <b>23347</b>	Group Art Unit
Invention: <b>HETEROCYCLIC MCHR1 ANTAGONISTS</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>Submission under 35 U.S.C. 371, Preliminary Amendment, Declaration, IDS-1449 with 5 refs, Copy of ISR, Copy of PCT Request, Copy of PCT Publication coverage</b></p> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> </div> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center; margin-left: 150px;"> <u>October 7, 2005</u>  <i>(Date)</i> </p> <div style="text-align: right; margin-top: 20px;"> <p><b>Patty Wilson</b>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <hr style="width: 30%; margin: 5px auto;"/> <p><i>(Signature of Person Mailing Correspondence)</i></p> <hr style="width: 30%; margin: 5px auto;"/> <p><b>EV332065805US</b>  <i>("Express Mail" Mailing Label Number)</i></p> </div>				
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>				